

17264
033104
U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL

(only for new non-provisional applications under 37 CFR §1.53(b))

22387 U.S.PTO
10/813954

033104

Mail Stop Patent Application
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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March 31, 2004

~~Date of Deposit~~
~~John Kieffer, Sr.~~
Signature

EL 964841688 US
Express Mail No.

Transmitted herewith for filing is the patent application under 37 CFR 1.53(b) of:

AVENTIS DOCKET NO.: **DEAV2003/0028 US NP**

INVENTORS: **JAEHNE, et al.**

TITLE: **NOVEL DIPHENYL LAZETIDINONE WITH
IMPROVED PHYSIOLOGICAL PROPERTIES,
PROCESS FOR ITS PREPARATION, MEDICAMENTS
COMPRISING THIS COMPOUND, AND ITS USE**

APPLICATION ELEMENTS

1. *Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Specification Total Pages **30**
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (*if filed*)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. Drawing(s) (35 U.S.C. 113) Total Sheets
4. Oath or Declaration Total Pages **2**
 - a. Newly unexecuted (original or copy)
 - b. Copy from a prior application (37 CFR § 1.63(d))
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).
5. Power of Attorney Total Pages
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR § 1.63(d))
6. Microfiche Computer Program (*Appendix*)

7. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

- Computer Readable Copy
- Paper Copy (identical to computer copy)
- Statement verifying identity of above copies

If a **CONTINUING Application**, check appropriate box, and supply the requisite information:

Continuation Divisional Continuation-in-part

of prior application no: _____, filed _____

Examiner _____, Group/Art Unit _____.

(The cross reference has been/will be inserted on page one of the specification).

This application claims the benefit of U.S. Provisional Application No. 60/494,456, filed August 11, 2003. (The cross reference has been/will be inserted on page one of the specification).

Incorporation By Reference (useable if filing a continuation/divisional and a copy of the declaration from the prior application is enclosed.)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

ACCOMPANYING APPLICATION PARTS

7. Assignment Papers (cover sheet & document(s))
8. 37 CFR §3.73(b) Statement
(when there is an assignee)
9. Verified English Translation Document (if applicable)
10. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
11. Preliminary Amendment
12. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. *Small Entity Statement(s) Statement filed in prior application,
(PTO/SB/09-12) Status still proper and desired
14. Certified Copy of Priority Document(s)
(DE 103 14 610.5 filed April 1, 2003)
15. Other: Application Data Sheet

CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label

005487

(Insert Customer No. or Attach bar code label here)



Barbara E. Kurys, Reg. No. 34,650
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FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 770.00)

Complete if Known

Application Number	Not Yet Assigned
Filing Date	March 31, 2004
First Named Inventor	JAEHNE, et al.
Examiner Name	Not Yet Known
Group / Art Unit	Not Yet Known
Attorney Docket No.	DEAV2003/0028 US NP

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

 Deposit Account

Deposit Account Number

18-1982

Deposit Account Name

Aventis Pharmaceuticals Inc.

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1001	770	2001	375
1002	340	2002	165
1003	530	2003	260
1004	770	2004	375
1005	160	2005	80
SUBTOTAL (1)		(\$770.00)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	13	-20**=	
Independent	4	- 3**=	
Claims			
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code	Fee (\$)	Fee Description
1202	18	2202 9 Claims in excess of 20
1201	86	2201 42 Independent claims in excess of 3
1203	290	2203 140 Multiple dependent claim, if not paid
1204	86	2204 42 **Reissue independent claims over original patent
1205	18	2205 9 **Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051 65 Surcharge - late filing fee or oath	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English Specification	
1812	2,520	1812 2,520 For filing a request for reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	420	2252 205 Extension for reply within second month	
1253	950	2253 465 Extension for reply within third month	
1254	1,480	2254 725 Extension for reply within fourth month	
1255	2,010	2255 985 Extension for reply within fifth month	
1401	330	2401 160 Notice of Appeal	
1402	330	2402 160 Filing a brief in support of an appeal	
1403	290	2403 140 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,330	2453 650 Petition to revive - unintentional	
1501	1,330	2501 650 Utility issue fee (or reissue)	
1502	480	2502 235 Design issue fee	
1503	640	2503 315 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Petitions related to provisional applications	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	770	2809 375 Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810 375 For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801 375 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)	

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Barbara E. Kurys, Reg. No. 34,650	Registration No. (Attorney/Agent)	34,650	Telephone	(908) 231-2965
Signature				Date	3/31/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Alexandria, VA 22313. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Aventis Pharmaceuticals Inc. template